

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JOANN DAVIS,

Plaintiff,

v.

Civil Action No. _____

ADOBE SYSTEMS INC.,

Defendant.

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, and any other applicable laws, Defendant Adobe Systems Incorporated gives notice of removal of this action (the “Action”), entitled *Davis v. Adobe Systems, Inc.*, bearing Case No. 395075-V from the Circuit Court for Montgomery County, Maryland, located at 50 Maryland Avenue, Rockville, MD 20850, to the United States District Court for the District of Maryland.

Defendant seeks to remove this action on the basis of diversity and states as follows:

1. On September 8, 2014, Plaintiff filed a Complaint in the Circuit Court for Montgomery County, Maryland. The complaint alleges that Defendant discriminated against Plaintiff in her employment in violation of the Montgomery County Code. The Complaint asserts counts of sex discrimination, age discrimination, and reprisal.
2. On September 18, 2014, Plaintiff served Defendant with the Complaint.
3. The time for Defendant to respond to Plaintiff’s Complaint has not expired. No further proceedings have taken place.

4. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Defendant in this action are attached as Exhibit 1.

5. This Action involves a controversy between “citizens of different States.” 28 U.S.C. § 1332(a)(1). Plaintiff, an individual, is a citizen of Maryland. Compl. ¶ 6. Defendant is a corporation that is incorporated in Delaware and has its principle place of business in California. Compl. ¶ 8; 28 U.S.C. § 1332(c)(1). A copy of Defendant’s Restated Certificate of Incorporation is attached as Exhibit 2.

6. Plaintiff seeks damages “in the amount of at least \$1.675 million.” Compl. ¶¶ 30, 33, 36. Accordingly, the amount in controversy in this action exceeds \$75,000, exclusive of interest and costs. 28 U.S.C. § 1332(a).

7. Removal of this action is proper under 28 U.S.C. § 1441. The Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332(a) because there is diversity of citizenship between the parties and the amount in controversy exceeds \$75,000, exclusive of interest and costs, and the case has not been pending for more than one year.

8. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) because it is filed within 30 days after service. Additionally, this Notice of Removal is filed less than one year after the Complaint was originally filed.

9. The United States District Court for the District of Maryland is the federal judicial district encompassing the Circuit Court of Montgomery County, Maryland where this suit was originally filed. Venue is therefore proper in this district under 28 U.S.C. § 1441(a).

10. Defendant is providing Plaintiff with written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d).

11. Defendant has paid all appropriate and applicable fees of this Court.

12. Pursuant to 28 U.S.C. § 1446(d), Defendant is filing a copy of this Notice of Removal with the Clerk of the Circuit Court for Montgomery County, Maryland.

WHEREFORE, Defendant hereby gives notice that the above-titled state court action, formerly pending in the Circuit Court for Montgomery County, Maryland, be removed to the United States District Court for the District of Maryland.

Dated: October 20, 2014

Respectfully submitted,

ARNOLD & PORTER



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